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4	Facsimile: (510) 465-8976 E-mail: shalman@selvinwraith.com		
5			
6	Attorneys for Defendant NIC Insurance Company; Navigators Insurance Company		
7	IN THE INITED OF A TEC DISTRICT COLIDT		
8	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA		
9			
10			
11	RICHARD SCHMITT, doing business as,	CASE NO.: 3:06cv05837-MHP	
12	SCHMITT CONSTRUCTION, a California partnership,	STIPULATION TO DISMISS ENTIRE	
13	Plaintiff,	ACTION WITH PREJUDICE	
14	v.	Complaint Filed: May 25, 2006	
15	NIC INSURANCE COMPANY, a New York		
16	corporation, NAVIGATORS INSURANCE COMPANY, a New York corporation, and Does		
17	1 to 20,		
18	Defendant.		
19	THE PARTIES TO THIS ACTION HEREBY S	TIPULATE AS FOLLOWS:	
20	Plaintiff Richard Schmitt dba Schmitt Construction ("Plaintiff") and Defendant NIC Insurance		
21	Company have entered into a Compromise Settlement Agreement and Release resolving this action a		
22	to all parties, including Defendant Navigators Insurance Company. Pursuant to the terms of the		
23	Compromise Settlement Agreement and Release, and in accordance with Federal Rule of Civil		
24	Procedure 41(a)(1), Plaintiff and Defendants, by and through their respective counsel of record,		
25	hereby stipulate:		
26	1. The above-entitled action shall be d	ismissed, with prejudice, as against all Defendants;	
27	2. The parties shall bear their own cost	s and fees, except as provided otherwise in the	
28	Compromise Settlement Agreement and Release;		
	1		
	STIPULATION TO DISMISS ENTIRE ACTION WITH PREJUDICE	CASE NO.: 3:06cv05837-MHP	
1	i .		

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1		
2	3. The parties executing this Stip	oulation are the only parties who have appeared in this
3	action.	
4	Dated: 9-9-08	THE COSTA LAW FIRM
5		an of
6		By: Daniel P. Costa
7		Attorneys for Plaintiff Richard Schmitt dba Schmitt Construction
8		Monard Sommit dod Sommit Construction
9	Dated: August 25, 2008	SELVIN WRAITH HALMAN LLP
10		
11		By: Awan Lafalmen Susan F. Halman
12		Attorneys for Defendant NIC Insurance Company
13		1 2
14	Dated: August 25, 2008	SELVIN WRAITH HALMAN LLP
15		1 991
16		By: Halman
17		Attorneys for Defendant Navigators Insurance Company
18	44649.doc	
19		TATES DISTRICT
20		STATES DISTRICT COLE
21		IT IS SO ORDERED
22		5 July &
23		Judge Marilyn H. Patel
24		June June
25		DISTRICT OF CHAIN
26		OISTRICT 9
27		
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